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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/427,819	10/27/1999	ENGELBERTUS VAN WILLIGEN	PHN-17.166	3807

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EXAMINER

NOBAHAR, ABDULHAKIM

ART UNIT PAPER NUMBER

2132

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/427,819

Applicant(s)

VAN WILLIGEN, ENGELBERTUS

Examiner

Abdulahakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-10 and are rejected under 35 U.S.C. 102(e) as being anticipated by Pinder et al (6,105,134) (hereinafter Pinder).

Referring to claim 1 and 3, Pinder discloses:

Broadcast network comprising an information server coupled to a plurality of subscriber stations for transmitting broadcast signals to the subscriber stations. See, for example, column 4, lines 13-36 and column 7, lines 29-33.

The broadcast network further comprises a return channel for transmitting information from the subscriber terminal to a head-end. See, for example, column 7, lines 26-56 and column 10, lines 54-57.

The broadcast network further comprises authentication means for authorizing the access of the subscriber terminal to interactive services. See, for example, column 2, lines 48-57, column 3, lines 61-67 and column 4, line 37-column 5, line 10.

Characterized in that the subscriber terminal comprises authorization transmitting means for transmitting authorization request messages to an authorization server. See, for example, column 12, line 46-column 13, line 8.

The authorization server being arranged for checking the entitlement of the subscriber to services to be provided by the information server, and in that the authorization server is arranged for enabling the subscriber to access said services. See, for example, column 15, lines 22-34, column 18, lines 11-19 and column 35, lines 46-63.

Referring to claim 2, Pinder discloses:

Broadcast network according to claim 1, wherein the information server is coupled to the subscriber terminals via a gateway, and in that the authorization server is arranged for enabling the subscriber to access said services by transmitting a message to the gateway to grant said subscriber access to said services. See, for example, column 4, lines 13-20, column 7, lines 57-65, column 13, line 66-column 14, line 29 and column 15, lines 26-34.

Referring to claim 3, Pinder discloses:

Broadcast network according to claim 2, wherein said message comprises information about at least one source IP address from which IP packets are passed to the subscriber station. See, for example, column 15, lines 17-34, column 18, lines 43-56 and column 20, lines 2-14.

Referring to claim 4, Pinder discloses:

Broadcast network according to claim 2 or 3, wherein said services are transmitted using IP packets, and in that said message comprises information about at least one destination IP address to which IP packets from the subscriber station are passed. See, for example, column 20, lines 2-14.

Art Unit: 2132

Referring to claim 5, Pinder discloses:

Subscriber station for receiving broadcast signals. See, for example, abstract and column 1, lines 64-67.

Said subscriber stations being arranged for transmitting information via a return channel to a head-end. See, for example, column 7, lines 26-56 and column 10, lines 54-57.

Wherein the subscriber terminal comprises authorization transmitting means for transmitting authorization request messages to an authorization server. See, for example, column 12, line 46-column 13, line 8.

The subscriber further being arranged for receiving authorization messages from the authorization server. See, for example, column 4, lines 37-59.

And in that the subscriber station is arranged for requesting services from the head-end after receiving a positive authorization message. See, for example, column 2, lines 19-34, column 42, line 57- column 43, line 10.

Referring to claim 6, Pinder discloses:

Gateway for passing, information from an information server to at least one subscriber terminal. See, for example, column 13, line 66-column 14, line 29.

Wherein gateway is arranged for passing authorization request messages from the subscriber terminal to an authorization server. See, for example, column 12, line 46-column 13, line 8 and column 16, lines 36-54.

And in that the gateway is arranged for enabling the subscriber to access said services in response to an authorization message received from the authorization server. See, for example, column 13, line 66-column 14, line 29 and column 15, lines 26-34.

Referring to claim 7, Pinder discloses:

Method comprising transmitting broadcast signals to at least one subscriber station and transmitting information from the subscriber terminal to a head-end. See, for example, column 4, lines 13-36 and column 7, lines 26-56 and column 10, lines 54-57.

Method further comprises authorizing the access of the subscriber terminal to available services. See, for example, column 3, lines 61-67 and column 4, line 37-column 5, line 10.

Art Unit: 2132

Wherein the method comprises transmitting authorization request messages by the subscriber terminal to an authorization server. See, for example, column 12, line 46-column 13, line 8.

Checking the entitlement of the subscriber terminal to services to be provided and in that the method comprises enabling the subscriber to access said services if the subscriber terminal is entitled. See, for example, column 15, lines 22-34, column 18, lines 11-19 and column 35, lines 46-63.

Referring to claim 8, Pinder discloses:

Method according to claim 7, wherein the method comprises transmitting information to the subscriber terminals via a gateway. See, for example, column 13, line 66-column 14, line 29.

And in that the method comprises enabling the subscriber to access said services by transmitting a message to the gateway to grant said subscriber access to said services. See, for example, column 13, line 66-column 14, line 29 and column 15, lines 26-34.

Referring to claim 9, Pinder discloses:

Method according to claim 8, wherein said message comprises information about at least one source IP address from which IP packets are passed to the subscriber station. See, for example, column 15, lines 17-34, column 18, lines 43-56 and column 20, lines 2-14.

Referring to claim 10, Pinder discloses:

Method according to claim 8, wherein said services are transmitted using IP packets, and in that said message comprises information about at least one destination IP address to which IP packets from the subscriber station are passed. See, for example, column 20, lines 2-14.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. 6,314,573 B1 to Gordon et al teaches a method and apparatus for providing subscription-on-demand services for an interactive information distribution system.

U.S. Pub. No. 6,130,898 to Kostreski et al teaches a method for interactively distributing digital video programs using a combination of a public wireless packet data network and a broadband digital broadcast network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/427,819

Page 7

Art Unit: 2132

Abdulahkim Nobahar
Examiner
Art Unit 2132

a.n.

AN

June 26, 2003

Gilberto Barron

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